



3. Plaintiff's "motion to stay and strike unlawful deadlines due to pending mandamus petition" at Dkt. 92 seeks to stay the dates this Court set in connection with the order to show cause issued at Dkt. 87. Those dates are May 8, 2025 (written submission, if any) and May 13, 2025 (hearing at court). Plaintiff argues that the deadlines are "unlawful" because Plaintiff has filed a mandamus petition divesting this Court of jurisdiction. The only application for mandamus relief on the docket is at Dkts. 53 and 62, which seek relief as to matters involving his criminal conviction in the Eastern District of New York. That mandamus application, directed to Judge Cronan and this the undersigned, has no relevance to the orders issued by this Court in this matter and, in any event, is frivolous. A letter from Plaintiff dated February 24, 2025 at Dkt. 55 states that Plaintiff plans to file a petition in the Second Circuit seeking my "recusal under mandamus," and asks that I not make any ruling until the Second Circuit acts on the petition. There is nothing on the docket indicating that any such mandamus petition has been filed with the Second Circuit. Plaintiff did file a motion for recusal at Dkt. 63, which was denied by Dkt. 64. Accordingly, Plaintiff's motion to stay and strike is DENIED, and **the order to show cause, including the dates set forth therein, remains operative. Failure to appear for the show cause hearing may result in dismissal of Plaintiff's complaint with prejudice for that reason alone.**

The Clerk of Court is respectfully directed to terminate the motions at Dkts. 88 and 92.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: April 24, 2025  
New York, New York

Copies transmitted this date to all counsel of record. The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.